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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 0104

UNITED STATES OF AMERICA, Plaintiff, v. **Lourdes Patricia MARTINEZ** Defendant.	Magistrate Case No.________ COMPLAINT FOR VIOLATION OF Title 8, U.S.C., Section 1324(a)(2)(B)(iii)- Bringing in Illegal Aliens Without Presentation

The undersigned complainant being duly sworn states:

On or about **January 13, 2008**, within the Southern District of California, defendant **Lourdes Patricia MARTINEZ**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Jose Miguel JAQUEZ, Aurea GARCIA-Macedo,** and **Reyna CHAIDEZ-Arambula** had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Claudia A. Rios, U.S. Customs and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **15th** DAY OF **JANUARY**, 2008.

UNITED STATES MAGISTRATE JUDGE

FAS

PROBABLE CAUSE STATEMENT

The complainant states that **Jose Miguel JAQUEZ, Aurea GARCIA-Macedo,** and **Reyna CHAIDEZ-Arambula** are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and that they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On January 13, 2008 at approximately 1909 hours **Lourdes Patricia MARTINEZ (Defendant)** made application for admission into the United States at the Otay Mesa, California Port of Entry as the operator of a stolen white Dodge Caravan. Defendant presented a California Identification card bearing her name and photograph to a Customs and Border Protection (CBP) Officer and claimed United States citizenship. The CBP Officer received a negative customs declaration from the Defendant. Defendant stated to the CBP Officer that the vehicle belonged to her grandmother. The CBP Officer proceeded to refer/escort Defendant into secondary inspection.

During secondary inspection, a non-factory compartment in the engine area of the vehicle was discovered and a non-factory-undercarriage compartment was discovered underneath the vehicle. Subsequently, one male individual was removed from the engine compartment and two females were removed from the undercarriage compartment.

Further investigation revealed the three individuals to be citizens of Mexico with no entitlements to enter the United States. The three individuals are now identified as **Jose Miguel JAQUEZ, Aurea GARCIA-Macedo,** and **Reyna CHAIDEZ-Arambula.**

During a videotaped interview Defendant was advised of her Miranda rights. Defendant acknowledged her rights and elected to answer questions without an attorney present. Defendant admitted knowledge to attempting to smuggle at least one undocumented alien concealed in the white Dodge Caravan she was operating into the United States. Defendant admitted that her reason for alien smuggling was to pay off an outstanding debt.

During a videotaped interview Material Witnesses all admitted to being citizens of Mexico not possessing the proper documentation to enter into, pass through, or remain in the United States. Material Witnesses stated they intended to travel to California, to see family members and seek employment. Material Witnesses admitted to paying between $2,300.00 USD and $3,000.00 USD to be smuggled into the United States. Material Witnesses admitted to attempting to elude inspection into the United States by being concealed in a vehicle. Material Witness stated they know it is illegal to enter the United States in this manner.